

# CALFRESH (CF) PROGRAM

## REQUEST FOR POLICY/REGULATION INTERPRETATION

**INSTRUCTIONS:** Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Be sure to identify the additional discussion with the appropriate number and heading. Retain a copy of the CF 24 for your records.

- Questions from counties, including county Quality Control, must be submitted by the county CalFresh Coordinator and may be submitted directly to the CalFresh Policy analyst assigned responsibility for the county, with a copy directed to the appropriate CalFresh Policy unit manager.
- Questions from Administrative Law Judges may be submitted directly to the CalFresh Policy analyst assigned responsibility to the county where the hearing took place, with a copy of the form directed to the appropriate CalFresh Bureau unit manager.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Fair Hearing <input type="checkbox"/> Other:	5. DATE OF REQUEST: 05/13/2016	NEED RESPONSE BY: 6-13-2016
2. REQUESTOR NAME: Kat Lauterback	6. COUNTY/ORGANIZATION: San Luis Obispo County Department of Social Services	
3. PHONE NO.: (805) 781-1895	7. SUBJECT: Undoc HH Member & Dependent Care Expenses	
4. REGULATION CITE(S): Section 63-502.373(b), 63-502.373(b)(1)	8. REFERENCES: (Include ACL/ACIN, court cases, etc. in references) NOTE: All requests must have a regulation cite(s) and/or a reference(s).  Section 63-502.373(b)(2), 63-502.373(b)(2)(A), 63-502.373(b)(3)	

9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY):

Scenario 1: CF Application. Undoc mother, US citizen father, 2 mutual US citizen children. Both parents are contributing income to the household. If undoc mother pays dependent care, the dependent care expense is prorated.

Scenario 2: CF Application. Undoc father, US citizen mother, 2 mutual US citizen children. Both parents are contributing income to the household. If undoc father pays dependent care, the dependent care expense is prorated.

Question: In Scenario 2, If US citizen mother pays a dependent care expense is the dependent care expense prorated for the CFHH?

10. REQUESTOR'S PROPOSED ANSWER:

Per 63-502.373(b), if the food stamp household members who are ineligible noncitizens or members excluded for SSN disqualification pay part or all of the deductible expenses, the expenses (excluding the utility allowance) will be prorated among all members and only the eligible members' share is counted as the deduction.

If any ineligible noncitizen contributes to the household expenses, all ineligible noncitizens of that household are counted in the proration. If any SSN disqualified member contributes to the household expense, all SSN disqualified members of that household are counted in the proration.

Therefore, dependent care expenses should be prorated as long as an ineligible noncitizen is part of the CF household, no matter who pays the dependent care expense.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

Yes, the deduction will be allowable (see ACIN I-43-03).

### FOR CDSS USE

DATE RECEIVED: 05/13/2016	DATE RESPONDED TO COUNTY/ALJ: SV 06-27-2016
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